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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMARY SUIT NO.371 OF 2005

Parshotam Tikamdas Bahirwani).. Plaintiff

Versus

Ram Textiles and another).. Defendants

Mr.Mohammad Wasim i/b.Ms.Kavita S. Lalwani for the Plaintiff.

None present for the Defendants.

CORAM : SMT. NISHITA MHATRE, J.

DATED : 3RD APRIL 2006

P.C.:

. This Suit has been filed against the Defendants for recovery of an amount of Rs.2,00,000/- together with interest at the rate of 18% per annum.

2. There is no appearance filed on behalf of the Defendants. Affidavit of service has been filed proving service of Summons for Judgment. Nobody appears for the Defendants.

3. It is the case of the Plaintiffs that two Demand Bills of Exchange were executed by Defendant No.1 for the sum of Rs.1,00,000/- each. Interest upto a certain date was paid on both the Bills of Exchange. The

Plaintiff demanded repayment of the amount of Rs.2,00,000/-. Two cheques, each for Rs.1,00,000/-, were issued by the Defendants. However, both the cheques have been dishonoured since the Defendant's account was closed. The Plaintiff had called upon the Defendants through his Advocate's letter to repay the amount. This demand notice has not been replied by the Defendants.

4. In the circumstances, Summons for Judgement made absolute. Decree as prayed for.